

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

DANIEL ABEYTA,

Plaintiff,

vs.

CIVIL NO. 96-271 BB/RLP

DAN GLICKMAN, Secretary of the
United States Department of Agriculture,
VIVIAN CORDOVA, LEONELLA RITA
NAVARETTE, BERNARDO PEREZ and
WILLIAM ELWELL, and other unknown
federal agents,

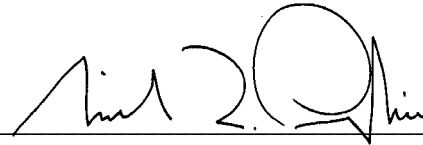
Defendants.

REPORT AND RECOMMENDATION

Pursuant to the Defendant Vivian Cordova's Motion to Compel Responses to Discovery (**Docket No. 58**) and this matter having come before the Court for a status conference on August 31, 1999. After hearing the arguments of counsel and after securing the consent of the plaintiff, and the defendant, Vivian Cordova, to dismiss this case with prejudice, the Court finds it is in the best interests of the parties to dismiss this case with prejudice and for all parties to bear their own costs and attorney's fees.

IT IS THEREFORE recommended pursuant to 28 U.S.C. § 636(b), that this matter be dismissed with prejudice and each party shall bear their own attorney's fees and costs.

IT IS SO ORDERED.¹

A handwritten signature in black ink, appearing to read 'Richard L. Puglisi', is written over a horizontal line.

RICHARD L. PUGLISI
United States Magistrate Judge

¹Within ten (10) days after a party is served with a copy of these findings and recommendations, that party may, pursuant to 28 U.S.C. § 636(b)(1), file written objections to such proposed findings and recommendations. The party must file any objections within ten (10) day period if that party seeks appellate review of the proposed findings and recommendations. If no objections are filed, no appellate review will be allowed.